

117TH CONGRESS  
1ST SESSION

# H. R. 2212

To establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the COVID–19 pandemic and other pandemics, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2021

Ms. FOXX (for herself and Mr. COMER) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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# A BILL

To establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the COVID–19 pandemic and other pandemics, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-  
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5 “Pandemic Preparedness, Response, and Recovery Act of  
6 2021”.

1       (b) TABLE OF CONTENTS.—The table of contents for  
2 this Act is as follows:

See. 1. Short title; table of contents.  
Sec. 2. Findings.  
Sec. 3. Definitions.  
Sec. 4. Establishment of Commission.  
Sec. 5. Duties of the Commission.  
Sec. 6. Powers of the Commission.  
Sec. 7. Commission personnel matters.  
Sec. 8. Termination of the Commission.  
Sec. 9. Authorization of appropriations.

3 **SEC. 2. FINDINGS.**

4       Congress finds that:

5                 (1) Federal regulation serves important goals  
6 and has achieved important objectives. The accumula-  
7 tion of Federal regulations over the decades, how-  
8 ever, is of concern. The Code of Federal Regulations  
9 currently contains over 180,000 pages of regula-  
10 tions, many of which may be outdated, no longer  
11 needed, or duplicative.

12               (2) Unneeded or inefficient regulation reduces  
13 the ability of United States employers and workers  
14 to generate and obtain more jobs and higher wages.  
15 It also increases the expenses of United States  
16 households and hinders the overall performance and  
17 competitiveness of the United States economy in the  
18 global marketplace.

19               (3) Unneeded or inefficient regulation is par-  
20 ticularly problematic as United States employers,

1 workers, and households continue to respond to and  
2 seek to recover from the COVID–19 pandemic.

3 (4) A timely and prioritized review of existing  
4 regulations to identify those that can and should be  
5 modified, consolidated, harmonized, or repealed to  
6 promote higher jobs and wages, reduce household ex-  
7 penses, and improve economic performance and com-  
8 petitiveness in and by the United States is needed.

9 (5) Such a review, moreover, is needed to accel-  
10 erate and strengthen the recovery of United States  
11 employers, workers, and households from the  
12 COVID–19 pandemic and ensure that Federal regu-  
13 lations do not inhibit or impede preparedness for  
14 and effective responses to future pandemics.

15 (6) The establishment of an expert commission,  
16 charged to conduct such a review and recommend to  
17 Congress legislation to effectuate a prioritized set of  
18 regulatory modifications, consolidations, harmoni-  
19 zations, and repeals, can ensure that such a review  
20 will be completed in the timeliest possible way.

21 (7) In light of the adverse impacts of and cir-  
22 cumstances caused by the COVID–19 pandemic, it  
23 is particularly important that such a commission  
24 prioritize in its review the elimination of regulatory  
25 obstacles to the United States, the several States',

1 and the people's preparedness for, response to, and  
2 recovery from the health and economic effects of the  
3 COVID–19 pandemic and possible future pandemics,  
4 for example, regulations that—

5                     (A) impeded preparedness for or response  
6                     to the COVID–19 pandemic, including those  
7                     that were suspended or for which enforcement  
8                     was waived after the outbreak of the pandemic  
9                     under the authority of Executive Order 13924  
10                    (85 Fed. Reg. 31353; relating to regulatory re-  
11                    lief to support economic recovery) or any other  
12                    authority;

13                    (B) could impede preparedness for or re-  
14                    sponse to a future pandemic;

15                    (C) otherwise impeded or could impede  
16                    health, economic performance, or the stability  
17                    of wages or employment during the COVID–19  
18                    pandemic or a future pandemic, including those  
19                    that were suspended or for which enforcement  
20                    was waived after the outbreak of the pandemic  
21                    under the authority of Executive Order 13924  
22                    or any other authority; and

23                    (D) impede or could impede the recovery of  
24                    health, economic performance, or wages or em-  
25                    ployment following the COVID–19 pandemic or

1           a future pandemic, with a particular emphasis  
2           on impediments to recovery by persons infected  
3           by COVID–19 or a future pandemic disease, in-  
4           dividuals or entities that supported or support  
5           those persons, and entities that qualify as small  
6           entities within the meaning of section 601(6) of  
7           title 5, United States Code, and those entities’  
8           employees, contractors, or investors, including  
9           by impeding—  
10                  (i) access to health care or health care  
11                   equipment or supplies;  
12                  (ii) access to employment;  
13                  (iii) access to public or private assist-  
14                   ance;  
15                  (iv) consumer or business spending,  
16                   investment, or access to capital or credit;  
17                  or  
18                  (v) other consumer or business activ-  
19                   ity, including hiring and education or re-  
20                   training.

21 **SEC. 3. DEFINITIONS.**

22       In this Act:

23                  (1) COMMISSION.—The term “Commission”  
24                  means the Pandemic Preparedness, Response, and  
25                  Recovery Commission established under section 4.

1                             (2) COMMISSION BILL.—The term “Commission  
2       bill” means a bill consisting of the proposed legisla-  
3       tive language of the Commission recommended  
4       under section 5(h)(2)(C) and introduced under sec-  
5       tion 5(i)(1).

6                             (3) COVERED REGULATION.—The term “cov-  
7       ered regulation” means a regulation that has been  
8       finalized not later than the date on which the Com-  
9       mission is established.

10 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

11                             (a) ESTABLISHMENT.—There is established in the  
12       legislative branch a commission to be known as the “Pan-  
13       demic Preparedness, Response, and Recovery Commis-  
14       sion”.

15                             (b) MEMBERSHIP.—

16                             (1) COMPOSITION.—The Commission shall be  
17       composed of 9 members, of whom—

18                                 (A) 1 member shall be appointed by the  
19       President, and shall serve as the Chair of the  
20       Commission;

21                                 (B) 2 members shall be appointed by the  
22       majority leader of the Senate;

23                                 (C) 2 members shall be appointed by the  
24       minority leader of the Senate;

(D) 2 members shall be appointed by the Speaker of the House of Representatives; and

(E) 2 members shall be appointed by the minority leader of the House of Representatives.

6                             (2) DATE.—The appointment of the members  
7       of the Commission shall be made not later than 30  
8       days after the date of the enactment of this Act.

(3) QUALIFICATIONS.—

(i) government service;

7                   (4) LIMITATION.—Not more than 5 members  
8                   appointed to the Commission may be from the same  
9                   political party.

10           (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
11 bers shall be appointed for the life of the Commission. Any  
12 vacancy in the Commission shall not affect its powers, but  
13 shall be filled in the same manner as the original appoint-  
14 ment.

15       (d) INITIAL MEETING.—Not later than 15 days after  
16 the date on which all members of the Commission have  
17 been appointed, the Commission shall hold its first meet-  
18 ing.

19           (e) MEETINGS.—The Commission shall meet at the  
20 call of the Chairman.

21 (f) OPEN TO THE PUBLIC.—Each meeting of the  
22 Commission shall be open to the public.

23       (g) QUORUM.—Five members of the Commission  
24 shall constitute a quorum, but a lesser number of members  
25 may hold hearings.

1       (h) NONAPPLICABILITY OF THE FEDERAL ADVISORY  
2 COMMITTEE ACT.—The Federal Advisory Committee Act  
3 (5 U.S.C. App.) shall not apply to the Commission.

4 **SEC. 5. DUTIES OF THE COMMISSION.**

5       (a) PURPOSE.—The purpose of the Commission is to  
6 evaluate and provide recommendations for modification,  
7 consolidation, harmonization, or repeal of covered regula-  
8 tions, while reducing compliance costs, encouraging  
9 growth and innovation, improving competitiveness, and  
10 protecting public health, safety, and welfare.

11       (b) REQUIREMENTS.—In carrying out subsection (a),  
12 the Commission shall—

13               (1) prioritize in its analysis of covered regula-  
14 tions, those covered regulations—

15                       (A) for which modification, consolidation,  
16 harmonization, or repeal could assist in the  
17 United States—

18                               (i) recovery from or continued re-  
19 sponse to the adverse health and economic  
20 impacts of the COVID–19 pandemic; or

21                               (ii) preparedness for, response to, or  
22 recovery from a future pandemic;

23                       (B) that impose disproportionately high  
24 costs on a small entity (as defined in section  
25 601 of title 5, United States Code);

(C) that impose substantial paperwork burdens; or

(D) that could be strengthened in their effectiveness while reducing regulatory costs;

18 (c) PUBLIC COMMENTS.—

19                             (1) IN GENERAL.—Not later than 15 days after  
20                             the date of the initial meeting of the Commission,  
21                             the Commission shall initiate a process to solicit and  
22                             collect written recommendations from the general  
23                             public, interested parties, Federal agencies, and  
24                             other relevant entities regarding which covered regu-  
25                             lations should be examined.

1                             (2) SUBMISSION OF PUBLIC COMMENTS.—The  
2       Commission shall ensure that the process initiated  
3       under paragraph (1) allows for recommendations to  
4       be submitted to the Commission through the website  
5       of the Commission, through regulations.gov, by mail,  
6       or through any other means determined to be appro-  
7       priate by the Commission.

8                             (3) LENGTH OF PUBLIC COMMENT PERIOD.—  
9       The period for the submission of recommendations  
10      under this subsection shall end 60 days after the  
11      date on which the process is initiated under para-  
12      graph (1).

13                           (4) PUBLICATION.—At the end of the period for  
14      the submission of recommendations under this sub-  
15      section, all submitted recommendations shall be pub-  
16      lished in the Federal Register and on—

- 17                           (A) the website of the Commission; or  
18                           (B) regulations.gov.

19                           (d) COMMISSION OUTREACH.—

20                           (1) IN GENERAL.—During the public comment  
21      period described in subsection (c), the Commission  
22      shall conduct public outreach and convene focus  
23      groups to better inform the commissioners of the  
24      public's interest and possible contributions to the  
25      work of the Commission.

1                         (2) FOCUS GROUPS.—The focus groups re-  
2                         quired under paragraph (1) shall include individuals  
3                         affiliated with the Office of Information and Regu-  
4                         latory Affairs, the Administrative Conference of the  
5                         United States, the offices within Federal agencies  
6                         responsible for small business affairs and regulatory  
7                         compliance, experts in pandemic preparedness and  
8                         response, experts in public health, and, at the discre-  
9                         tion of the Commission, relevant stakeholders from  
10                         within or outside the regulatory entities.

11                         (e) COMMISSION REVIEW OF PUBLIC COMMENTS.—  
12 Not later than 15 days after the date on which the period  
13 for the submission of recommendations ends under sub-  
14 section (c), the Commission shall convene to review sub-  
15 mitted recommendations, prepare a work plan for comple-  
16 tion of the Commission’s further work, and to identify cov-  
17 ered regulations to modify, consolidate, harmonize, or re-  
18 peal.

19                         (f) EXAMINATION OF REGULATIONS.—

20                         (1) PROCESS FOR EXAMINATION.—In exam-  
21 ining covered regulations under this section, the  
22 Commission shall determine the effectiveness of indi-  
23 vidual covered regulations, by using multiple re-  
24 sources, including the following:

25                         (A) Quantitative metrics.

(B) Testimony from industry and agency experts, experts in pandemic preparedness and response, and experts in public health.

(C) Research from the staff of the Commission.

6                             (2) DEADLINE.—Not later than 180 days after  
7                             the date on which the Commission convenes under  
8                             subsection (e), the Commission shall complete a sub-  
9                             stantial examination of covered regulations.

10 (g) INITIAL REPORT.—

11                         (1) IN GENERAL.—Not later than 90 days after  
12                         the date on which the Commission convenes under  
13                         subsection (e), the Commission shall publish, and  
14                         make available to the public for comment, a report,  
15                         which shall include—

1                         (2) REQUIREMENT.—The report required under  
2                         paragraph (1) shall be approved by not fewer than  
3                         5 members of the Commission.

4                         (3) AVAILABILITY OF REPORT.—The Commis-  
5                         sion shall make the report required under paragraph  
6                         (1) available through the website of the Commission  
7                         and in printed form.

8                         (4) PUBLIC COMMENT PERIOD.—During the  
9                         60-day period beginning on the date on which the  
10                        report required under paragraph (1) is published,  
11                        the Commission shall—

12                        (A) solicit comments from the public on  
13                        such report, using the same process established  
14                        under subsection (c); and

15                        (B) publish any comments received under  
16                        subparagraph (A)—

17                        (i) in the Federal Register; and  
18                        (ii) on—

19                        (I) the website of the Commis-  
20                        sion; or

21                        (II) regulations.gov.

22                        (5) CONSULTATION.—

23                        (A) IN GENERAL.—Not later than 30 days  
24                        after the date on which the report required  
25                        under paragraph (1) is published, the Commis-

1           sion shall complete a consultation with the chair  
2           and ranking minority member of the commit-  
3           tees of jurisdiction in the House of Representa-  
4           tives and Senate, and with the head of each  
5           agency that has enforcement jurisdiction with  
6           respect to rules recommended for modification,  
7           consolidation, harmonization, or repeal, regard-  
8           ing the contents of the report.

9           (B) REQUIREMENTS.—The consultation re-  
10          quired under subparagraph (A) shall provide—

11               (i) the opportunity for the chair and  
12               ranking minority member of the commit-  
13               tees of jurisdiction to provide substantive  
14               feedback or recommendations related to  
15               the regulatory changes contained in the re-  
16               port required under paragraph (1);

17               (ii) the opportunity for the chair and  
18               ranking minority member of the commit-  
19               tees of jurisdiction to provide recommenda-  
20               tions for alternative means of achieving a  
21               reduction in regulatory costs while main-  
22               taining the same level of benefits to soci-  
23               ety; and

24               (iii) the opportunity for the head of  
25               each agency potentially affected by the

**3 (h) REPORT TO CONGRESS.—**

(1) IN GENERAL.—Not later than 90 days after the date on which the 60-day period described in subsection (g)(4) ends, the Commission shall—

(B) incorporate any relevant comments received under subsection (g)(4) into the report required under subsection (g)(1); and

12 (C) submit the revised report to Congress.

13                             (2) CONTENTS.—The revised report required to  
14                             be submitted to Congress under paragraph (1) shall  
15                             include—

(C) recommended legislative language to implement the recommendations in subparagraph (B).

4           (i) CONGRESSIONAL CONSIDERATION OF LEGISLA-  
5 TIVE LANGUAGE TO IMPLEMENT RECOMMENDATIONS.—

6                             (1) COMMISSION BILL DESCRIBED.—In this  
7 subsection, the term “Commission bill” means, with  
8 respect to the Senate or the House of Representa-  
9 tives, a bill described as follows:

10 (A) The title of the bill is as follows: “A  
11 Bill to implement the recommendations of the  
12 Pandemic Preparedness, Response, and Rapid  
13 Recovery Commission.”.

1                   report to Congress under subsection  
2                   (h)(1); or

3                         (ii) if the Congress during which the  
4                         Commission submits such report adjourns  
5                         sine die prior to the expiration of the 60-  
6                         day period which begins on the date the  
7                         Commission submits the report (excluding  
8                         Saturdays, Sundays, and holidays, and any  
9                         day on which neither House is in session  
10                         because of an adjournment sine die, a re-  
11                         cess of more than three days, or an ad-  
12                         journment of more than three days), on  
13                         the first day of the next Congress.

14                         (C) The text of the bill consists exclusively  
15                         of the recommended legislative language to im-  
16                         plement the recommendations of the Commis-  
17                         sion which is included in the revised report sub-  
18                         mitted to Congress under subsection (h)(1), as  
19                         certified by the Chair of the Commission to the  
20                         Speaker of the House of Representatives or the  
21                         President pro tempore of the Senate (as the  
22                         case may be).

23                         (2) CONSIDERATION IN THE HOUSE OF REP-  
24                         RESENTATIVES.—

(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which the Commission bill is referred shall report it to the House without amendment not later than 30 days after the date on which the Commission bill is introduced under paragraph (1). If a committee fails to report the Commission bill within that period, it shall be in order to move that the House discharge the committee from further consideration of the Commission bill. Such a motion shall not be in order after the last committee authorized to consider the Commission bill reports it to the House or after the House has disposed of a motion to discharge the Commission bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 3 hours of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the Commission bill in accordance with subparagraphs (B) and (C). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

## 1                             (B) PROCEEDING TO CONSIDERATION.—

2         After the last committee authorized to consider  
3         the Commission bill reports it to the House or  
4         has been discharged (other than by motion)  
5         from its consideration, it shall be in order to  
6         move to proceed to consider the Commission bill  
7         in the House. Such a motion shall not be in  
8         order after the House has disposed of a motion  
9         to proceed with respect to the Commission bill.

10       The previous question shall be considered as or-  
11       dered on the motion to its adoption without in-  
12       tervening motion. A motion to reconsider the  
13       vote by which the motion is disposed of shall  
14       not be in order.

15                             (C) CONSIDERATION.—The Commission  
16         bill shall be considered as read. All points of  
17         order against the Commission bill and against  
18         its consideration are waived. The previous ques-  
19         tion shall be considered as ordered on the Com-  
20         mission bill to its passage without intervening  
21         motion except 10 hours of debate equally di-  
22         vided and controlled by the proponent and an  
23         opponent and one motion to limit debate on the  
24         Commission bill. A motion to reconsider the

1           vote on passage of the Commission bill shall not  
2           be in order.

3           (D) VOTE ON PASSAGE.—The vote on pas-  
4           sage of the Commission bill shall occur not later  
5           than 60 days after the date on which the Com-  
6           mission bill is discharged from the last com-  
7           mittee authorized to consider the Commission  
8           bill.

9           (3) CONSIDERATION IN THE SENATE.—

10           (A) COMMITTEE CONSIDERATION.—A  
11           Commission bill introduced in the Senate under  
12           paragraph (1) shall be jointly referred to the  
13           committee or committees of jurisdiction, which  
14           committees shall report the bill without any re-  
15           vision and with a favorable recommendation, an  
16           unfavorable recommendation, or without rec-  
17           ommendation, not later than 30 days after the  
18           date on which the Commission bill is intro-  
19           duced. If any committee fails to report the bill  
20           within that period, that committee shall be  
21           automatically discharged from consideration of  
22           the bill, and the bill shall be placed on the ap-  
23           propriate calendar.

24           (B) MOTION TO PROCEED.—Notwith-  
25           standing Rule XXII of the Standing Rules of

the Senate, it is in order, not later than 2 days of session after the date on which a Commission bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the Commission bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the Commission bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the Commission bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the Commission bill is agreed to, the Commission bill shall remain the unfinished business until disposed of.

23 (C) CONSIDERATION.—All points of order  
24 against the Commission bill and against consid-  
25 eration of the Commission bill are waived. Con-

1 sideration of the Commission bill and of all de-  
2 batable motions and appeals in connection  
3 therewith shall not exceed a total of 10 hours  
4 which shall be divided equally between the ma-  
5 jority and minority leaders or their designees. A  
6 motion further to limit debate on the Commis-  
7 sion bill is in order, shall require an affirmative  
8 vote of a majority of the Members duly chosen  
9 and sworn, and is not debatable. Any debatable  
10 motion or appeal is debatable for not to exceed  
11 1 hour, to be divided equally between those fa-  
12 voring and those opposing the motion or appeal.  
13 All time used for consideration of the Commis-  
14 sion bill, including time used for quorum calls  
15 and voting, shall be counted against the total  
16 10 hours of consideration.

17 (D) NO AMENDMENTS.—An amendment to  
18 the Commission bill, or a motion to postpone,  
19 or a motion to proceed to the consideration of  
20 other business, or a motion to recommit the  
21 Commission bill, is not in order.

22 (E) VOTE ON PASSAGE.—If the Senate has  
23 voted to proceed to the Commission bill, the  
24 vote on passage of the Commission bill shall  
25 occur immediately following the conclusion of

1           the debate on a Commission bill, and a single  
2           quorum call at the conclusion of the debate if  
3           requested. The vote on passage of the Commis-  
4           sion bill shall occur not later than 60 days after  
5           the date on which the Commission bill is dis-  
6           charged from all committees to which the Com-  
7           mission bill was referred.

8           (F) RULINGS OF THE CHAIR ON PROCE-  
9           DURE.—Appeals from the decisions of the Chair  
10          relating to the application of the rules of the  
11          Senate, as the case may be, to the procedure re-  
12          lating to a Commission bill shall be decided  
13          without debate.

14          (4) AMENDMENT.—The Commission bill shall  
15          not be subject to amendment in either the House of  
16          Representatives or the Senate.

17          (5) CONSIDERATION BY THE OTHER HOUSE.—  
18           (A) IN GENERAL.—If, before passing the  
19          Commission bill, one House receives from the  
20          other a Commission bill—

21               (i) the Commission bill of the other  
22          House shall not be referred to a com-  
23          mittee; and

24               (ii) the procedure in the receiving  
25          House shall be the same as if no Commis-

1                   sion bill had been received from the other  
2                   House until the vote on passage, when the  
3                   Commission bill received from the other  
4                   House shall supplant the Commission bill  
5                   of the receiving House.

6                   (B) REVENUE MEASURE.—This subsection  
7                   shall not apply to the House of Representatives  
8                   if the Commission bill received from the Senate  
9                   is a revenue measure.

10                  (6) RULES TO COORDINATE ACTION WITH  
11                  OTHER HOUSE.—

12                  (A) TREATMENT OF COMMISSION BILL OF  
13                  OTHER HOUSE.—If the Senate fails to introduce  
14                  or consider a Commission bill under this sec-  
15                  tion, the Commission bill of the House shall be  
16                  entitled to expedited floor procedures under this  
17                  section.

18                  (B) TREATMENT OF COMPANION MEAS-  
19                  URES IN THE SENATE.—If following passage of  
20                  the Commission bill in the Senate, the Senate  
21                  then receives the Commission bill from the  
22                  House of Representatives, the House-passed  
23                  Commission bill shall not be debatable. The  
24                  vote on passage of the Commission bill in the  
25                  Senate shall be considered to be the vote on

1           passage of the Commission bill received from  
2           the House of Representatives.

3           (C) VETOES.—If the President vetoes the  
4           Commission bill, debate on a veto message in  
5           the Senate under this section shall be 1 hour  
6           equally divided between the majority and minor-  
7           ity leaders or their designees.

8           (j) NOTICE TO REGULATORY AGENCIES.—

9           (1) ENACTMENT OF COMMISSION BILL.—If the  
10          Commission bill is enacted into law, the President  
11          shall—

12           (A) not later than 7 days after the date on  
13          which the Commission bill is enacted into law—  
14               (i) provide notice to the affected regu-  
15               latory agencies; and

16               (ii) publish notice of enactment in the  
17               Federal Register and online; and

18           (B) require affected regulatory agencies to  
19          implement the Commission bill not later than  
20          60 days after the date on which the Commis-  
21          sion bill is enacted into law.

22           (2) FAILURE TO ENACT COMMISSION BILL.—If  
23          the Commission bill is not enacted into law, the  
24          President shall provide notice of such failure to  
25          enact the Commission bill in the Federal Register.

## 1 SEC. 6. POWERS OF THE COMMISSION.

2       (a) HEARINGS.—The Commission may hold such  
3 hearings, sit and act at such times and places, take such  
4 testimony, and receive such evidence as the Commission  
5 considers advisable to carry out this Act.

## 6       (b) INFORMATION FROM FEDERAL AGENCIES.—

7           (1) IN GENERAL.—The Commission is author-  
8 ized to secure directly from any executive depart-  
9 ment, bureau, agency, board, commission, office,  
10 independent establishment, or instrumentality of the  
11 Government, information, suggestions, estimates,  
12 and statistics for the purpose of this Act. Each de-  
13 partment, bureau, agency, board, commission, office,  
14 independent establishment, or instrumentality shall,  
15 to the extent authorized by law, furnish such infor-  
16 mation, suggestions, estimates, and statistics di-  
17 rectly to the Commission, upon request made by the  
18 chair, the chair of any subcommittee created by the  
19 Commission, or any member designated by a major-  
20 ity of the Commission.

21           (2) RECEIPT, HANDLING, STORAGE, AND DIS-  
22 SEMINATION.—Information shall only be received,  
23 handled, stored, and disseminated by members of  
24 the Commission and its staff consistent with all ap-  
25 plicable statutes, regulations, and Executive orders.

1       (c) POSTAL SERVICES.—The Commission may use  
2 the United States mails in the same manner and under  
3 the same conditions as other departments and agencies of  
4 the Federal Government.

5       (d) GIFTS.—The Commission may accept, use, and  
6 dispose of gifts or donations of services or property.

7       (e) SPACE FOR USE OF COMMISSION.—Not later  
8 than the expiration of the 30-day period which begins on  
9 the date of the enactment of this Act, the Architect of  
10 the Capitol and the Administrator of General Services  
11 shall support on a reimbursable basis the operations of  
12 the Commission, including the identification of suitable  
13 space to house the Commission. If the Architect and the  
14 Administrator are not able to make such suitable space  
15 available prior to the expiration of such 30-day period, the  
16 Commission shall lease space to the extent that funds are  
17 available.

18 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

19       (a) COMPENSATION OF MEMBERS.—Each member of  
20 the Commission shall be compensated at a rate equal to  
21 the daily equivalent of the annual rate of basic pay pre-  
22 scribed for level IV of the Executive Schedule under sec-  
23 tion 5315 of title 5, United States Code, for each day (in-  
24 cluding travel time) during which such member is engaged  
25 in the performance of the duties of the Commission.

1       (b) TRAVEL EXPENSES.—The members of the Com-  
2 mission shall be allowed travel expenses, including per  
3 diem in lieu of subsistence, at rates authorized for employ-  
4 ees of agencies under subchapter I of chapter 57 of title  
5 5, United States Code, while away from their homes or  
6 regular places of business in the performance of services  
7 for the Commission.

8       (c) STAFF.—

9           (1) IN GENERAL.—The Chairman of the Com-  
10 mission may, without regard to the civil service laws  
11 and regulations, appoint and terminate an executive  
12 director and such other additional personnel as may  
13 be necessary to enable the Commission to perform  
14 its duties. The employment of an executive director  
15 shall be subject to confirmation by the Commission.

16           (2) COMPENSATION.—The Chairman of the  
17 Commission may fix the compensation of the execu-  
18 tive director and other personnel without regard to  
19 chapter 51 and subchapter III of chapter 53 of title  
20 5, United States Code, relating to classification of  
21 positions and General Schedule pay rates, except  
22 that the rate of pay for the executive director and  
23 other personnel may not exceed the rate payable for  
24 level V of the Executive Schedule under section 5316  
25 of such title.

1                             (3) AGENCY ASSISTANCE.—Following consulta-  
2                             tion with and upon the request of the Chairman of  
3                             the Commission, the head of any agency may detail  
4                             an employee of the agency to the Commission with-  
5                             out reimbursement, and such detail shall be without  
6                             interruption or loss of civil service status or privi-  
7                             lege.

8                             (4) GAO AND OIRA ASSISTANCE.—The Com-  
9                             troller General of the United States and the Admin-  
10                             istrator of the Office of Information and Regulatory  
11                             Affairs may, upon request, provide assistance, in-  
12                             cluding the detailing of employees, to the Commis-  
13                             sion in accordance with an agreement entered into  
14                             with the Commission.

15                             (d) PROCUREMENT OF TEMPORARY AND INTERMIT-  
16                             TENT SERVICES.—The Chairman of the Commission may  
17                             procure temporary and intermittent services under section  
18                             3109(b) of title 5, United States Code, at rates for individ-  
19                             uals which do not exceed the daily equivalent of the annual  
20                             rate of basic pay prescribed for level V of the Executive  
21                             Schedule under section 5316 of such title.

22                             (e) CONTRACTING AUTHORITY.—The Commission  
23                             may acquire administrative supplies and equipment for  
24                             Commission use to the extent funds are available.

1       (f) ADMINISTRATIVE SUPPORT.—The Administrator  
2 of General Services shall provide to the Commission, on  
3 a reimbursable basis, the administrative support services  
4 necessary for the Commission to carry out its responsibil-  
5 ities under this Act.

6       (g) APPLICATION OF CONGRESSIONAL ACCOUNT-  
7 ABILITY ACT OF 1995.—For purposes of the Congres-  
8 sional Accountability Act of 1995 (2 U.S.C. 1301 et  
9 seq.)—

10           (1) the Commission shall be considered an em-  
11 ploying office; and  
12           (2) the employees of the Commission shall be  
13 considered covered employees.

14 **SEC. 8. TERMINATION OF THE COMMISSION.**

15       The Commission shall terminate 90 days after the  
16 date on which the Commission submits the report pursu-  
17 ant to section 5(h).

18 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

19       (a) IN GENERAL.—There are authorized to be appro-  
20 priated such sums as may be necessary to the Commission  
21 to carry out this Act.

22       (b) AVAILABILITY.—Any sums appropriated under  
23 the authorization contained in this section shall remain  
24 available, without fiscal year limitation, until expended.

